THE HOLY QUR'AN AND THE STATE

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Machiavelli (1469-1527) used the word '*lo stato'*; thus establishing the modern usage of the word 'estate' used in the meaning of realm or kingly office before 16th century.

From its Latin root 'stare' meaning to stand or status, the word 'state' become 'estate' in German, '*staat*' in old French and the 'state' in English. Both of the terms state and estate, carry the factor of land or territory, as common in their meaning; and both have been descended from the old feudal system-the fundamental to the political structure of that time.[1]

Evolution of the 'State' as an institution goes back long to the history. The earliest societies might not have 'states', but as history records, they had developed means of governing the tribes or other human groups.

In the fertile valleys of Tigris and Euphrates, Sumerians established their societies by the year 3,000 BC. Nineveh, (between 3,000 and 2,000 BC) had a 'Council of Elders', as a governmental system.[2] Leonard Tivey records that the detailed, rigid and autocratic administrative systems were built up by some rulers such as Pharaohs, and the Incas, focusing of course, on the supreme or god kings.[3]

A thorough study of evolution of the state, suggests that we can refer to the pre-state era as an age of 'chiefdoms', which were characterized by simple social organizations. The members were linked by ties of kinship. Each community had developed its own set of mutually agreed rules. These rules were focused on the person of the chief.

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It was in 800 BC, when the Greeks managed to think about politics in its own terms, and they used the term ‘city-state’. The same was the phrase, applied to the cities of Renaissance Italy, and to the other similar political units. The Western Europe, in its middle ages contained the Holy Roman Empire, founded by Charlemagne around 800.[4]

The further study reveals that, the Italian ‘city republics’ began to develop their political system, during the last decades of 11th century and established ‘Consular System’, responsible to run the state. By the middle of the 13th century, the leading communes acquired the status of independence.

John Dunn explains:
The Italian city-republics engendered a rich political literature, in which a number of arguments in favor of government by the people were articulated for the first time, in post-classical thought. They also evolved a structure of institutions to prove that self –government is no more utopian fantasy, but capable of being turned into political reality.[5]

This brief story shows how we can imagine evolution of modern state. The modern state, in 20th century, has brought with it the idea of sovereignty –a single authority, both for making laws and with force to implement. While, during the pre-nineteenth century the laws were defined and enforced either by civil authorities (emperors, and kings) or by the church.

The Levelers (1845-1849) organized the first modern political movement characterized by the idea of sovereignty. They heralded the movement to think not only of the participatory self-government within a city-state but of representative government within a nation-state [6]. It means that rise of modern state is rise of sovereignty and thus the rise of nationalism.

The French Revolution (1789), actually, pronounced the right of man. It led, in the long run, to sovereignty of the French people, resulting into modern phenomenon of 'nationalism' and the development of 'nation-state'. Therefore, Leonard Tivey has termed the French revolution and the creation of the United State of America, as the heralds of nationalism.[7]

With this precise history of the evolution of the modern state, serving as a frame of reference, let us come to the religious point of view about the development and organization of human societies. The Holy Qur'an, being the last and the most cautiously preserved revealed book, gives some important references. It explains that, it was through revelations and some intuitive knowledge that man folk has developed organized societies in the forms of states.

The Holy Qur'an declares that it is man, to whom the creator has granted the status of best of the creations. Along with the innumerable resources, he has been provided with life, conscience, and will-power: (Translation)

> Behold! Thy Lord said to the angels I will create vicegerent on Earth.[8]

The other verses confirm the status of man as vice-gerent of God, with following rationale: (Translation)

> We have created (indeed) man in the best moulds…Whom I have created with my hands…But He fashioned him in due proportion, and breathed into him something of His Spirit…And He taught Adam, the nature of things…And its enlightenment as to its wrong and its right….And He has subjected to you, as from Him all that is in the Heavens and on Earth. [9]

According to Qur'an, on his deployment on earth, Adam was directed: (Translation)

Get you down all from here, and if, as is sure, there comes to you guidance from Me; who so ever follows My guidance on them shall be on fear nor shall they grieve.[10]

Afterwards, the descendants of Adam are further reminded:

O Mankind! We created you from single (pair) of male and female, and made you into nations and tribes, that you may know each other.[11]

The Mankind was one single nation, and Allah sent messengers with glad tidings and warnings and with them, He sent the Book in truth, to judge between people in matters, wherein they differed.[12]

These were the bases, according to Qur'an, on which the social institutions of family, society and state evolved. The Qur'an refers to the history of mankind, along-with the evolution of the theses natural institutions, as necessary parts of human society. It also comments on the rise and fall of human societies in the past, thus pointing out the concept of an ideal society and state.

The state now a day is a defined as an organized society, having a defined territory, equipped with a political apparatus (government). As H.J. Laski describes it: By a state, I mean a society --- which is integrated by possessing a coercive authority legally supreme over any individual or group, which is part of society.[13]

The Holy Qur'an does not mention the 'state' as such; rather it refers to different integral parts of this institution; such as: population, territory, government and sovereignty. In Arabic, the words *Riasah*, *Dawlah* and *Wilayah* are used as synonymous to the English word state.[14] However, the Qur'an does not use these words in this sense; it has its own terminology, to convey the meanings. The Qur'an comments on different human societies, groups, communities or nations, with reference to their responses to the Prophets, sent to them. For example, see the following verses: (Translation)

(i) We sent Noah to his (Qaum) people. He said o my (Qaum) people! Worship God! Ye have no other God but him…

(ii) To the Ad (Qaum) people (We sent) their brother *Hud.* He said: O my (Qaum) people! Worship God...

(iii) To the *Thamud* (Qaum) people (We sent) *Salih*, one of their brethren. He said: O My people (Qaum)! Worship God and remember how He made you inheritors after the Ad people and gave you habitations in the land.[15]

In the texts of these verses, we see the word *Qaum* (Nation) is repeatedly used for human communities; both in the sense of state and society of the old time. In the terminology of modern political science, the word Qaum stands for the population of a state. As we study further, in Qur'an, for the inhabitants of a city, the word *Ashab* is also used. *Ashab* (plural of Sahib) means companions of a community or group. The further examples of this usage one can find in the phrases like: *Ashab Al-Aika*, *Ashab-e-Madyan* and *Ashab al-Hijr.* [16]

A through study reveals that, along-with the population of a state, the territorial unit and the government of the state is also mentioned in Qur'an. One can easily discover that, the word al-*Ard,* (Earth) in the Holy Qur'an stands for state, and '*Mulk*' (power or authority) stands for its organized power of government. For many a times, the Holy Qur'an has used the word *Al-Ard* for the whole of the planet of Earth, but in some cases, it refers to a tract of land, a territory occupied by some organized body of the natives. It is noted, for example, in the battle of Moses and Pharaoh: (Translation)

(i) And Pharaoh proclaimed among his people saying: O my people! Does not the dominion (*Mulk*) of Egypt belong to me?

(ii) (The man said to Moses)…. Thy intention is none other than to become a powerful violent man in the land (*al-Ard*) and not to be one who sets things right! [17]

(iii) About the Roman Empire's defeat the Holy Qur'an comments:

> The Roman Empire has been in a land (*al-Ard*) close by; But they after (this) defeat of theirs, will soon be victorious within a few years.[18]

We see, in all of the above mentioned verses, the word *al-Ard* is used to indicate, a territory of land having some population and power ruling over there.

The Holy Qur'an explains that Allah Almighty appointed his messengers, as vicegerents on Earth and some of them were gifted with earthly kingdoms as well. In this regard, again the word *Mulk* (power) is used. For example see the following verses: (Translation)

(i) And David slew Goliath; and God gave him power (*Mulk*) and wisdom and taught him whatever we willed.

(ii) …..But We had already given the people of Abraham, the book and wisdom and conferred upon them a great kingdom (*Mulk*).[19]

The same fact is clear from the historical references, given in The Holy Qur'an, to some of the oldest and strongest kings and kingships of the world, describing their powerful states and supreme authorities; such as: Pharaoh (*Zul-autad)*, *Zul-Qarnain* and the Empress of *Saba*.[20]

In addition to that, the ruling elite of the ancient societies is also mentioned in Qur'an. The phrase, *Mala-i-Qaum*, (authorities in the nation) is used for the demagogues of the nation, ministers and higher authorities of the state. In the court of Pharaohs they were elders of the nation, executive members of the state or consultative body of their king-gods, [21] while in the state of Saba they were legislative council, having a decisive power in the kingship.[22]

Through this research, we can conclude that, the nature, history and evolution of the state is recorded by the holy Qur'an in a peculiar way, teaching human beings, reforming their authorities, thus propounding guideline for the future. As we have studied, all the basic elements and organs of a state; sovereignty, authority, population and from of government- are discussed but the fact must

be noted that there is no line of demarcation between a state and government. Both are mentioned as one authority, person (king) oriented, having divine rights to rule a nation, the cruel ones as disliked and lauding the beneficent as liked ones. The Holy Qur'an concerns with the heads (along with their authorities) or the state and the societies, because they are responsible for the whole of the nation.

A thorough study of Qur'an reveals, that the Qur'anic reference to different parts of the state are not purposeless verbosity only; they actually guide human being to establish good and banish evil, through rebuilding the state institutions, in the light of this Divine Guidance. If we derive the basic principles in this regard, we can make an outline as follows:

(i) The Holy Qur'an declares that the supreme authority of heavens and earth lies with Almighty Allah, the creator of the universe: Behold! The creation and the governing belong to Him; No authority, the command is for none but Allah commanded that ye worship none but Him: that is the right religion.[23]

There is no question at all, that the sovereignty either belongs to the ruler or to the people being ruled. He deserves and thus sustains.

(ii) It is man who has been granted vice-gerencey of Allah on this Earth. Among the human beings, Allah chose His messengers to practice His will on the Earth, in accordance with the guidance revealed to them.[24] The Holy series of His messengers starting with Adam ends with Muhammad (P.B.U.H).[25]

They all called people to worship Allah and obey Divine code. The origin of law is God, and the messengers are the agencies, through which it is interpreted and guided to be implemented. The Holy Qur'an stresses on the obeisance to His messengers: We sent not an apostle, but to be obeyed, in accordance with the will of Allah…. He who obeys the Apostle, obeys Allah.[26]

(iii) The prophet, before Muhammad (P.B.U.H) where sent to an area, generation or a nation, but Muhammad (P B U H) is for whole of the human race: Say O men! I am sent unto you all as the Apostle of Allah.[27]

His status therefore is described as:

- But no, by thy lord, they can have no faith, until they make thee judge in all disputes between them, and find in their souls no resistance against them decision, but accept them the fullest conviction.
- It is not fitting for a believer, man or woman, when a matter has been decided by Allah, and His Apostle, to have any option about their decision, If anyone disobeys Allah and his Apostle, he is indeed on a clearly wrong path.[28]

There are the bases for the code of conduct of a citizen. That is to be loyal to the Sovereign, and His Messenger. The state inhabited by citizens, obeying this code, will promulgate Divine Law.

As *Mawardi* defines it:

Imamate (Islamic Government) is established to follow the Holy Prophet (in governing a state), to uphold and secure Islam, and to reform and maintain worldly affairs.[29]

Shah Wali Allah also confirms as:

Khilafah (An Islamic State) is one that is striving to implement Shariah.[30]

(iv) The relation between population and authority is explained as:

O ye who believe! Obey Allah and obey the Apostle, and those charged with authority among you. If ye differ in anything among yourselves, refer it to Allah, and his Apostle, if ye do believe in Allah and the last Day: That is best and most suitable for final determination.[31]

It means that:

> The basic source (of law) to be obeyed is God Himself.
>
> Second to Him are his messengers, who must be obeyed in accordance with the will of Allah.
>
> The third in the echelon stand the people, responsible for the collective affairs.

Beside the Devine authority, there are *Ulu-Al-Amr*, Those charged with authority and responsibility of decision and the settlement of affairs: God has promised, to those among you who believe and work righteous deeds, that He will of a surety, grant them in the land inheritance (of power) as He granted it to those before them.[32]

These will be vicegerent to god and His messengers. A vicegerent is one who demonstrates the authorities derived from the original power. The authority does not belong to him, but is gifted. He does not have the right to do something of his own volition; He is to follow the will of the owner.

(v) The authorities will be chosen by the populace with clear mandate of maintaining God's Law, and establishing Religion of Right. The people of the state are directed to place their trust in the righteous: Allah doth command you to render back your trusts to those, to whom they are due; and when ye judge between man and man, that ye judge with justice… And if any fail to judge by (the light of) what God hath revealed,. They are unbelievers…. They are wrong doers.[33]

Ibn-e-Taimiah interprets *Siasat al-Shariah* (politics in accordance with *Shariah*) as based on two principles: to put trust in the deserving and to dispense the justice.[34]

(vi) The society under Islamic state is cemented with brotherhood. They are treated by the state authorities as equals. They run their affairs by mutual consultation:

- All who obey Allah and the Apostle are in the company of those on who is the Grace of Allah…..

- And hold fast, all of you together, to the cable of Allah and do not separate….
- Those who hearken to their Lord and establish regular prayers who (conduct) their affairs by mutual consultation that spends out of what we bestow on them for sustenance…..
- Let there arise out of you a band of people inviting to all that is good, enjoying what is right, and forbidding what is wrong; they are ones to attain facility, but not like those who are divided amongst themselves and fall into disputations after receiving clear signs, for them is a dreadful penalty. [35]

(vii) And what will be the constitution?

- Say shall I seek for judge other than Allah? When He it is who hath sent unto you the Book, explained in detail.
- This is the Book, in it is guidance sure, without doubt.
- None can change His word, and none will thou find as a refuge other than Him.
- Wert you to follow the common run of those on Earth, they will lead thee away of Allah.
- The command rests with none but Allah; He declares the truth and he is best of judge. [36]

It means that the original source of constitution and law is the Holy Qur'an. The principles given by the holy Qur'an are universal and timeless. They encompass every sphere of human activity and offer a code for human conduct from inter-personal, to inter-communal and international level.

The second source is the Holy prophet (P B U H), who established an Islamic state in the light of the Holy Qur'an. The life of the Holy Prophet (P.B.U.H), as the head of archetypal state is a practical example of implementation of Devine Law.

Dr. *Yahya al- Khashab* writes:

The Qur'an was the governing constitution during the life of Prophet (P B U H). Its rules were carefully followed, when it was yet a new call to a new faith and the Arabs used to come to the Prophet (P B U H) himself in all difficulties of application and it was always he, who cleared up problems and showed them the right path.[37]

(viii) The main objective of an Islamic state is to practice the universal reformatory programme given by Allah, using all of its sources for the betterment of humanity. The primary responsibility of the state, as propounded by the Holy Qur'an is to cater for the moral and ideological requisites of the citizen, apart from the physical needs of its population.

This makes an Islamic state different from an ordinary state. There may be some points of similarity with regard to the structural elements, but they vary in basic principles and objectives. Islamic state is an ideological state, which is to establish God's Law on Earth, for the betterment of human-kind, in this life as well as for Hereafter.

As the Holy Qur'an says:

We sent afore time our Apostles with clear signs, and sent down with them the Book and the balance (of right and wrong) that men may stand forth in justice, and we sent down iron, in which is (material for) mighty as well as many benefits for man kind that Allah may test who it is that will help; unseen, him and his Apostles; For Allah is full of strength, Exalted in Might (and able to enforce his will).[38]

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